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KNOBBE MARTENS OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH CA 92660

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OFFICE OF PETITIONS

In re Application of
Venkat Gopal
Application No. 09/404,979
Filed: September 22, 1999
Attorney Docket No. GENAPP.002RA

ON PETITION

This is a decision on the petition, filed July 10, 2002, under 37 CFR 1.313(c) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED**.

37 CFR 1.313(c) provides that:

Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

(1) Unpatentability of one of more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;

(2) Consideration of a submission pursuant to 37 CFR 1.114; or

(3) Express abandonment of the application. Such express abandonment may be in favor of a continuing application.

See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865, 14873 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47, 54 (Apr. 11, 2000).

Petitioner requests that the application be withdrawn from issue to consider a request for continued examination (RCE) under 37 CFR 1.114. However, no RCE and submission under 37 CFR 1.114 was filed.

If reconsideration of this decision is desired, a Request for Reconsideration under 37 CFR 1.313(c) must be filed within **ONE**

MONTH from the mail date of this decision. No extension of time of this one month time limit can be granted under 37 CFR 1.136(a) or (b). The Request for Reconsideration must comply with one of the reasons for withdrawal cited in 37 CFR 1.313(c), including all pertinent papers and fees. If a reply is not received within the ONE MONTH time limit, the application will be returned to Publishing Division for processing into a patent.

Telephone inquiries should be directed to the undersigned at (703) 305-9220.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy